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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,525	06/13/2000	W. R. Hugh Fife	GE CAN 3194	8521
7590	10/14/2003		EXAMINER GONZALEZ, JULIO C	
John S Beulick Armstrong Teasdale LLP Suite 2600 One Metropolitan Square St Louis, MO 63102			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 10/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/602,525

Applicant(s)

FIFE, W. R. HUGH

Examiner

Julio C. Gonzalez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 25-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-22 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 06 January 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-9 and 11-22 and 24 are rejected under 35 U.S.C. 112, first

paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The disclosure in page 3, lines 30-34 discloses that the bracket assembly “provide a configuration effectively achieving the desired natural frequency”. How do the plates help to achieve this desired frequency? Also, in page 5, lines 1-8, it is disclosed that the bracket assembly adds stiffness. How is the stiffness related to obtaining a desired frequency? How is the desired frequency determined?

The disclosure is not clear enough as to how the brackets would be able to maintain the “natural frequency” of the device. How the brackets accomplish such task? Does reinforcing the bracket assembly automatically provide a desired “natural frequency”? What is considered a “natural frequency”?

Yes, the invention adds stiffness to the assembly, but this stiffness achieves a desired “natural frequency”? If any counterweight is placed on the bracket assembly, would it make automatically the design to achieved a desired natural frequency?

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-9 and 11-22 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the claim discloses that there are end plates 48, 50 and support plates 54, 62. It seems like if end plate 48 and support plate 54 is the same component. From figure 1, it seems like if end plate 48 is a surface and the support plate 54 is another surface perpendicular to the end plate 48 and the intermediate end plate 56 is another surface of the support plate 54.

The disclosure in page 3, lines 17-23 discloses that the support plate 54 extends from the support plate 48. Nowhere in the disclosure, it is mention that the first end plate 48 and the support plate 54 are two distinct, separate plates.

On the contrary, in figure 3, it appears as if the first end plate 48 and the first support plate 54 are the same component. The plates 48 and 54 seemed to be different surfaces of the same device. The same applies for plates 50 and 62 in figure 3.

Also, the support member 46 seems to be an internal surface of the support plates. Are the plates different surfaces of one device? Or are the plates different parts of different components? Is the invention about different plates or different surfaces? It seems from figure 3 like if the support member 46 is a different surface of the support plates.

In order to advance prosecution in the merits, the Prior Art will be applied as best understood by the examiner.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 9, 11, 14-17, 19 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Dochterman (US 4,186,319).

Dochterman discloses an assembly for a dynamoelectric machine having a first end plate, a second end plate, a base plate 30, a support member 35 and a support plate 38 extending from the base plate 30 (see attached paper of patent 4,186,319 showing figure 2 with labels of parts for better understanding).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 6, 8, 12, 13, 18, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dochterman in view of Periyathamby et al.

Dochterman discloses an assembly for a dynamoelectric machine having a first end plate, a second end plate, a base plate 30, a support member 35 and a support plate 38 extending from the base plate 30 (see attached figure 2 with labels of parts for better understanding).

However, Dochterman does not disclose explicitly that an intermediate region may be an arc segment.

On the other hand, Periyathamby et al discloses for the purpose of effectively minimizing vibration of parts and reducing noise that intermediate regions in electrical machines may be an arc segment (see figure 14).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design an bracket system as disclosed by Dochterman and to modify the invention by disclosing arc segments for the purpose of effectively minimizing vibration of parts and reducing noise as disclosed by Periyathamby et al.

9. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dochterman and Periyathamby et al as applied to claims 6 and 18 above, and further in view of Booth.

The combined bracket assembly discloses all of the elements above. However, the combined bracket assembly does not disclose explicitly that an intermediate end extend radially from a support member.

On the other hand, Booth et al discloses for the purpose of balancing the dynamic forces generated by a load, an intermediate end 106 that extend radially from a support member 108 (see figures 5, 6).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined bracket assembly as disclosed above and to modify the invention by placing an intermediate end radially to a support member for the purpose of balancing the dynamic forces generated by a load as disclosed by Booth et al.

Response to Arguments

10. Applicant's arguments with respect to claims 1-9 and 11-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is (703) 305-1563. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jcg

October 2, 2003

